WA 55/2007
BEFORE
THE HON’BLE MR JUSTICE D. BISWAS, CHIEF JUSTICE(ACTG.)
THE HON’BLE MR JUSTICE B.P.KATAKEY

Heard Mr SS Dey, learned counsel for the appellant and also Mr D. Saikia , learned Standing Counsel for the Health Department.

2. The appellant has, by the present appeal, challenged the order dated 20. 12.2006 passed by the learned Single Judge in WP(C) No.6259/2006 wherein the ord er dated 11.12.2006 transferring the writ petitioner-appellant from Pathsala Fir st Referal Unit(FRU) to Rangapara PHE was in challenge.

3. The only grievance raised by the learned counsel for the appellant in th e present appeal is that the appellant being the trained Laboratory Technician h is services is to be utilized only in the FRU, which has the blood bank facility . The learned counsel for the appellant has submitted that since by the impugned order dated 11.12.2006 he has been transferred from the FRU to the PHC, which h as no blood bank facility, the order of transfer was not passed in the public in terest.

4. Since the grievance of the appellant is only relating to his non-posting in any FRU, we dispose of the present appeal with the observation that the appe llant may approach the Secretary, Health and Family Welfare Department, Assam by way of filing a representation within a period of one week from today and, in t he event of filing the same, the said authority shall consider such representati on and pass necessary orders within two weeks thereafter after scrutinizing the claim of the appellant for his posting in any FRU, other than Pathsala FRU, wher e the private respondent in the appeal has been posted, keeping in mind the publ ic interest and administrative exigencies.

5. No costs.